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REMARKS—General

By the above amendment, Applicant has rewritten all claims to define the invention more particularly and distinctly so as to define the invention patentably over the prior art.

The Rejection of Claim 1 on Zhao et al. Overcome

The last Office Action rejected independent claim 1 on Zhao et al. Claim 1 has been rewritten as CURRENTLY AMENDED claim 1 to define patentably over this reference. Applicant requests reconsideration of this rejection for the following reasons:

- (1) Zhao et al. discloses an endoluminal stent design utilizing oval-shaped support units of a consistent width. The support units disclosed in the above claim 1 are of varying thickness.
- (2) Zhao et al. discloses an endoluminal stent design utilizing 'U'-shaped struts to interconnect individual oval-shaped support units. The endoluminal stent design disclosed in the above claim 1 utilizes 'S'-shaped struts for the interconnection of its support units.
- (3) Zhao et al. discloses an endoluminal stent design utilizing substantially 'U'-shaped struts to interconnect expansion rings. The endoluminal stent disclosed in the above claim 1 utilizes articulating struts of a full-cycle waveform shape.

The Novel Physical Features of Claim 1 Produce New and Unexpected Results and Hence are Unobvious and Patentable Under § 103.

Also applicant submits that the novel physical features of claim 1 are also unobvious and hence patentable under § 103 since they produce new and unexpected results.

These new and unexpected results are the more efficient expansion of the oval-shaped support units due to the varied width of said oval-shaped support units, the greater expansion ratio of the expansion rings due to the low profile of the 'S'-shaped interconnect struts while in the endoluminal stent's compressed state, the ability for the endoluminal stent to be placed effectively in a tortuous body lumen due to the uniquely-shaped articulating struts, and the combination of any or all of the aforementioned.

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CONCLUSION

For all the above reasons, applicant submits that the claims are now in proper form, and that the claims all define patentably over the prior art. Therefore he submits that this application is now in condition for allowance, which action he respectfully solicits.

CONDITIONAL REQUEST FOR CONSTRUCTIVE ASSISTANCE

Applicant has amended the claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.02 and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,



Ed Darack

Applicant Pro Se

P.O. Box 2091

Davis, CA 95617-2091

Telephone: 530-400-4822; Fax: 877-684-4796

CERTIFICATE OF FACSIMILE TRANSMISSION

I certify that on the date below I shall fax this paper to GAU 3738 of the U.S. Patent and Trademark Office at 571-273-8300.

2006 July 24

